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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,404	03/12/2004	Toshihiko Fukasawa	1232-4473US1	5974

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NEW YORK, NY 10281-2101

EXAMINER

TRUONG, LAN DAI T

ART UNIT	PAPER NUMBER
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2152

NOTIFICATION DATE	DELIVERY MODE
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10/22/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOPatentCommunications@Morganfinnegan.com
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Office Action Summary

Application No.

10/798,404

Applicant(s)

FUKASAWA ET AL.

Examiner

Lan-Dai Thi Truong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 08/26/05;03/12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is response to communications: application, filed 03/12/2004; amendment filed 08/07/2007. Claims 23-37 are pending; claims 23, 28, 33 are amended

2. Applicant's arguments filed 08/07/2007 have been fully considered, but new amended claims are moot in view of the new ground(s) of rejection.

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 23-24, 28-29, 33-34 are rejected under 35 U.S.C 103(a) as being unpatentable over Nam et al. (U.S. 6,138,163) in view of Guedalia (U.S. 6,536,043)

Regarding claim 23:

Nam discloses the invention substantially as claimed, including an apparatus, which can be implemented in a computer hardware or software code for delivering video stream data from a server having an image sensing device to clients via Internet, comprising:

a connection management device adapted to make a connection with the server having the image sensing device via Internet, to get the video stream data from the server having the image sensing device, and to deliver video stream data to a client in response to a request from the client via Internet: (Nam discloses an “improved HTTP mediate server/ known as HTTP relay server” which shares functionality with “a connection management device” as claimed which implements functionalities as a proxy such as controlling communications between “user browsers” which is equivalent to “clients” and the “video servers” those share functionality with “a server having an image sensing device” as claimed. In Nam’s system, the improved HTTP mediate server is capable to establish connections between the network clients/browsers and the video servers so that the network clients/browsers will receive real-time video data streams from the video server in response to sending a service request to the video server: abstract; figure 1; figure 3; column 3, lines 27-41; column 4, lines 7-67)

a memory control device adapted to store the video stream data from the server having the image sensing device, in a buffer memory: (Name discloses the HTTP relay server includes “a stream controller/cache” which shares functionality with “a memory control device/ a buffer memory” as claimed which used to store received transmitting video data streams from the video servers: column 3, lines 27-41, lines 62-67; column 4, lines 1-7)

wherein said connection management device establishes a connection between the relay apparatus and the server, and delivers the video stream data stored in the memory buffer to a second client based on a request from the second client: (as similar to rejections addressed above, Nam discloses an “improved HTTP mediate server/ know as HTTP relay server” which shares functionality with “a connection management device which also known as the relay apparatus”

as claimed which implements functionalities as a proxy such as controlling communications between “user browsers” which is equivalent to “clients” and the “video servers” those share functionality with “a server having an image sensing device” as claimed. In Nam’s system, the improved HTTP mediate server is capable to establish connections between different networks (e.g. the network clients/browsers and the video servers) so that the network clients/browsers will receive real-time video data streams from the video server in response to sending a service request to the video server. Further more, the Nam’s HTTP relay server/ HTTP mediate server also includes “cache function” which shares functionality with “the buffer memory” as claimed which used to store received transmitting video data streams from the video servers those are then transmitted to the network clients/browsers, see (abstract; figure 1; column 2, lines 3-7; figure 3; column 3, lines 10-15, 27-41; column 4, lines 1-67)

However, Nam does not explicitly disclose delivering the video stream data stored in the buffer memory to a first client different from the second client based on a request from the first client without starting a new connection between relay apparatus and the server in case that a connection has been established between the relay apparatus and the server to deliver the video stream data to the second client

In analogous art, Guedalia discloses proxies those used to control communications between varieties of networks. The proxies used as large caches for data have being delivered from multimedia servers to clients. Guedalia’s proxies have capability of optimizing to cache the various multimedia streams by transmitting the cached multimedia stream (e.g. Block B1) see (column 25 lines 19-45) from the previous connection between a first client and a media server

to a second clients without starting new connection between the proxies and media server, see (column 24, lines 57-67; column 25 lines 1-45)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Guedalia's ideas of using proxies as large caches for delivering the cached media data direct to clients without starting new connection between the proxies and the media server into Nam's system in order to save communication bandwidth/ memory utilizations and increasing communication speed, see (Guedalia column 25, lines 1-3)

Regarding claims 28 and 33:

Those claims are rejected under rationale of claim 23

Regarding claims 24, 29 and 34:

In addition to rejection in claim 23, 28 and 33, Nam- Guedalia further discloses HTTP: (Nam discloses the relay server which supports HTTP communication: column 3, lines 27-40)

Claims 26-27, 31-32 and 36-37 are rejected under 35 U.S.C 103(a) as being un-patentable over Nam- Guedalia in view of Kalajan (U.S. 6,202,156)

Regarding claims 26-27, 31-32 and 36-37:

Nam- Guedalia discloses the invention substantially as disclosed in claims 23, 28 and 33, but does not explicitly teach predetermined period

In analogous art, Kalajan discloses technique of setting up predetermined period for proxy communication environments, see (column 1, lines 60-67; column 2, lines 1-23)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kalajan's ideas setting predetermined period for proxy

environment into Nam- Guedalia's system in order to employ well-known technique into Nam- Guedalia's system for saving development times and for saving network resources utilizations

Claims 25, 30 and 35 are rejected under 35 U.S.C 103(a) as being un-patentable over Nam- Guedalia in view of Segur (U.S. 6,212,550)

Regarding claims 25, 30 and 35:

Nam- Guedalia discloses the invention substantially as disclosed in claims 23, 28 and 33, but does not explicitly teach converting video data stream

In analogous art, Segur discloses method for converting video data stream into another format compatible for communications: (abstract; figure 1)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Segur's ideas of converting data from one format into another format with Nam- Guedalia's system in order to provide a convenient communication system for Internet users such as the Internet users can be able to share relevant information via using different communication platforms, see (column 3, lines 66-67; column 4, lines 1-9)

The prior arts made of records and not relied upon are considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "relay apparatus and system and method, and storage medium": 5991306; 5991306; 5519640; 5867485; 6557031; 6067571; EP 0723369; 6002753; 6003077; 5724355; 5748894; 6023698; 5479472

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

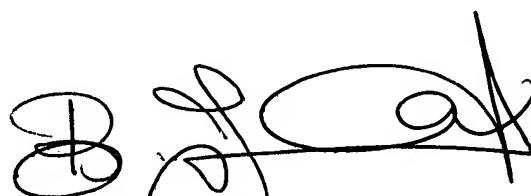
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

10/11/07



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

10/14/17